IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

WP(C).No. 3831 of 2007(F)

PETITIONER:

K.P. VARGHESE, S/O.LATE K.V. PETER
AGED 44 YEARS, WELGATE MARKEING (P) LTD.,
KURAVANKONAM, PATTOM PALACE ROAD,
KOWDIAR, THIRUVANANTHAPURAM.

BY ADV. SRI.V.N.GOPALAKRISHNAN NAIR

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR.

2. DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM.

BY SHRI P.G.THAMPY, DIRECTOR GENERAL OF PUBLIC PROSECUTIONS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY and T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No. 3831 of 2007 F

Dated this the 12th day of February, 2007

Judgment

This is a petition alleging police harassment. According to the petitioner, he is doing the business of producing feature films, copyright purchase of feature films and manufacturing and marketing of Video Audio cassettes and Compact Discs. Because of the constant harassment, he is unable to do the business and 9,636 original CDs were seized. Director General of Public Prosecutions submitted that the above CDs were seized suspecting that there is violation of Copyright and produced before the Magistrate's Court and it is stated that the matter should be examined. If it is found that there is no copyright violation, the CDs taken into custody should be returned to the petitioner. Further, though investigation can be conducted according to law, petitioner shall not be harassed and petitioner shall be allowed to continue the business with regard to cassettes with valid copyright.

The writ petition is disposed of.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

vaa

J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No.3831/2007 F

Judgment

Dated:12th February, 2007